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9 Attorneys for Defendant
JOHN J. COTA

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
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14 UNITED STATES OF AMERICA,
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Plaintiff,
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v.
17 JOHN J. COTA,
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Defendant.

Case No. CR 08-0160 SI

[PROPOSED] ORDER

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21 FOR GOOD CAUSE SHOWN, It Is Hereby Ordered that Defendant's Ex Parte Motion
22 For An Order (1) Vacating Current Deposition Dates And Then (2) Either Referring Motion To
23 Vacate Or Continue Rule 15 Depositions To Magistrate Judge Spero Or, Alternatively,
24 Shortening Time On Motion is GRANTED. Given the government's agreement, the Rule 15
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1 depositions currently scheduled to begin on July 21, 2008 are taken off-calendar and Defendant's
2 Motion to Vacate Or Continue is referred to Magistrate Judge Spero for further proceedings.

3 It is so Ordered.

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7 Dated: July __, 2008

By: _____
8 HONORABLE SUSAN ILLSTON
9 United States District Court Judge
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PROOF OF SERVICE

I am employed in the County of San Francisco, State of California by a member of the Bar of this Court, at whose direction this service was made. I am over the age of 18 and not a party to the within action. My business address is 55 Second Street, Suite 1700, San Francisco, CA 94105. On July 9, 2008, I served the document(s) described as:

[PROPOSED] ORDER - EX PARTE MOTION FOR AN ORDER REFERRING MOTION TO VACATE OR CONTINUE RULE 15 DEPOSITIONS TO MAGISTRATE JUDGE SPERO OR, ALTERNATIVELY, SHORTENING TIME ON MOTION

on the parties to this action named on the attached service list by the method described below.

(BY PERSONAL SERVICE) I caused a true and correct copy of said document(s) to be served by hand to the addressee(s) listed above, with the name and address of the person served shown on the envelope.

(BY OVERNIGHT DELIVERY) I enclosed a true and correct copy of said document(s) in an envelope/package provided by an overnight delivery carrier addressed to the addressee(s) listed above, sealed it, and placed it for collection and overnight delivery following the ordinary business practices of Kirkpatrick & Lockhart Preston Gates Ellis LLP. I am readily familiar with the firm's practice of collecting and processing correspondence for overnight delivery. On the same day that correspondence is placed for collection and overnight delivery, it is collected by an overnight delivery carrier. Delivery fees are pre-paid or provided for in accordance with the ordinary business practices of Kirkpatrick & Lockhart Preston Gates Ellis LLP.

(BY ELECTRONIC TRANSMISSION) I transmitted a true and correct copy of said document(s) by electronic mail to the offices of the addressee(s). I did not receive, within a reasonable time after the transmission, any message or other indication that the transmission was unsuccessful.

X (BY FACSIMILE) I transmitted a true and correct copy of said document(s) by facsimile to the offices of the addressee(s). Upon completion of the facsimile transmission, a transmission report was issued showing the transmission was complete and without error.

(BY U.S. MAIL) I enclosed a true and correct copy of said document(s) in an envelope addressed to the addressee(s) listed above and placed it for collection and mailing following the ordinary business practices of Kirkpatrick & Lockhart Preston Gates Ellis LLP. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service with postage fully prepaid at San Francisco, California.

Executed on July 9, 2008 at San Francisco, California.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Mae A. Chu
Mae A. Chu

SERVICE LIST

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